

Union Calendar No. 602

115TH CONGRESS
2D SESSION

H. R. 5730

[Report No. 115-776]

To require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2018

Mr. KATKO (for himself, Mr. McCaul, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Homeland Security

JUNE 22, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 9, 2018]

A BILL

To require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Transportation Security*
5 *Technology Innovation Reform Act of 2018”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *ADMINISTRATION.—The term “Administration” means the Transportation Security Administra-*
9 *tion” means the Transportation Security Administra-*
10 *tion.*

11 (2) *ADMINISTRATOR.—The term “Administrator” means the Administrator of the Administra-*
12 *tion.*

14 (3) *APPROPRIATE CONGRESSIONAL COMMITTEE.—The term “appropriate congressional com-*
15 *mittees” means the Committee on Homeland Security*
16 *of the House of Representatives and the Committee on*
17 *Commerce, Science, and Transportation of the Senate.*

19 (4) *DEPARTMENT.—The term “Department”*
20 *means the Department of Homeland Security.*

21 **SEC. 3. TRANSPORTATION SYSTEMS INTEGRATION FACIL-**
22 **ITY.**

23 (a) *IN GENERAL.—There is established in the Adminin-*
24 *istration a Transportation Security Administration Sys-*
25 *tems Integration Facility (TSIF) for the purposes of testing*

1 and evaluating advanced transportation security screening
2 technologies related to the mission of the Administration.
3 The TSIF shall—

4 (1) evaluate such technologies to enhance the se-
5 curity of transportation systems through screening
6 and threat mitigation and detection;

7 (2) conduct testing of such technologies to sup-
8 port identified mission needs of the Administration
9 and to meet requirements for acquisitions and pro-
10 curement;

11 (3) to the extent practicable, provide original
12 equipment manufacturers with test plans to minimize
13 requirement interpretation disputes and adhere to
14 provided test plans;

15 (4) collaborate with other technical laboratories
16 and facilities for purposes of augmenting TSIF's ca-
17 pabilities;

18 (5) deliver advanced transportation security
19 screening technologies that enhance the overall secu-
20 rity of domestic transportation systems; and

21 (6) to the extent practicable, provide funding
22 and promote efforts to enable participation by a small
23 business concern (as such term is described under sec-
24 tion 3 of the Small Business Act (15 U.S.C. 632))
25 that has an advanced technology or capability but

1 *does not have adequate resources to participate in
2 testing and evaluation processes.*

3 *(b) STAFFING AND RESOURCE ALLOCATION.—The Ad-
4 ministrator shall ensure adequate staffing and resource al-
5 locations for the TSIF in a manner which—*

6 *(1) prevents unnecessary delays in testing and
7 evaluating advanced transportation security screening
8 technologies for acquisitions and procurement deter-
9 minations;*

10 *(2) ensures the issuance of final paperwork cer-
11 tification does not exceed 45 days after the conclusion
12 of such testing and evaluation; and*

13 *(3) collaborates with technology stakeholders to
14 close capabilities gaps in transportation security.*

15 *(c) TIMEFRAME.—*

16 *(1) IN GENERAL.—The Administrator shall no-
17 tify the appropriate congressional committees when-
18 ever testing and evaluation by TSIF of an advanced
19 transportation security screening technology under
20 this section exceeds 180 days as determined from the
21 date on which the owner of such technology turned
22 over such technology to the Administration after in-
23 stallation for testing and evaluation purposes, as evi-
24 denced by a signed Test Readiness Notification from*

1 such owner to the Administration. Such notification
2 shall include—

3 (A) information relating to the arrival date
4 of such technology;

5 (B) reasons why the testing and evaluation
6 process has exceeded 180 days; and

7 (C) an estimated time for completion of
8 such testing and evaluation.

9 (2) RETESTING AND EVALUATION.—Advanced
10 transportation security screening technology that fails
11 testing and evaluation by the TSIF may be retested
12 and evaluated.

13 (d) RELATIONSHIP TO OTHER DEPARTMENT ENTITIES
14 AND FEDERAL AGENCIES.—The authority of the Adminis-
15 trator under this title shall not affect the authorities or re-
16 sponsibilities of any officer of the Department or of any
17 officer of any other department or agency of the United
18 States with respect to research, development, testing, and
19 evaluation, including the authorities and responsibilities of
20 the Undersecretary for Science and Technology of the De-
21 partment and the Countering Weapons of Mass Destruction
22 Office of the Department.

23 **SEC. 4. REVIEW OF TECHNOLOGY ACQUISITIONS PROCESS.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of the enactment of this Act, the Administrator shall,

1 *in coordination with relevant officials of the Department,*
2 *conduct a review of existing advanced transportation secu-*
3 *rity screening technology development, acquisitions, and*
4 *procurement practices within the Administration. Such re-*
5 *view shall include—*

6 *(1) identifying process delays and bottlenecks*
7 *within the Department and the Administration re-*
8 *garding how such technology is identified, developed,*
9 *acquired, and deployed;*

10 *(2) assessing whether the Administration can*
11 *better leverage existing resources or processes of the*
12 *Department for the purposes of technology innovation*
13 *and development;*

14 *(3) assessing whether the Administration can*
15 *further encourage innovation and competition among*
16 *technology stakeholders, including through increased*
17 *participation of and funding for small business con-*
18 *cerns (as such term is described under section 3 of the*
19 *Small Business Act (15 U.S.C. 632));*

20 *(4) identifying best practices of other Depart-*
21 *ment components or United States Government enti-*
22 *ties; and*

23 *(5) a plan to address problems and challenges*
24 *identified by such review.*

1 (b) *BRIEFING.*—The Administrator shall provide to the
2 appropriate congressional committees a briefing on the
3 findings of the review required under this section and a
4 plan to address problems and challenges identified by such
5 review.

6 **SEC. 5. ADMINISTRATION ACQUISITIONS AND PROCUREMENT ENHANCEMENT.**

7 The Administrator shall—

8 (1) engage in outreach, coordination, and collaboration with transportation stakeholders to identify and foster innovation of new advanced transportation security screening technologies;

9 (2) streamline the overall technology development, testing, evaluation, acquisitions, procurement, and deployment processes of the Administration; and

10 (3) ensure the effectiveness and efficiency of such processes.

11 **SEC. 6. ASSESSMENT.**

12 The Secretary of Homeland Security, in consultation with the Chief Privacy Officer of the Department of Homeland Security, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a compliance assessment of the Transportation Security Administration’s acquisition process relating to the

- 1 *health and safety risks associated with implementation of*
- 2 *screening technologies.*

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